

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/398,289 09/20/99 MELMAN

H

EXAMINER

TM02/0828

Eitan, Pearl, Latzer & Cohen-Zedek
c/o John L. Welsh
Aquilino, Welsh & Flaxman
2341 Jefferson Davis Highway, Suite 112
Arlington VA 22202

ALAM.S

ART UNIT

PAPER NUMBER

2172

DATE MAILED:

08/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/398,289

Applicant(s)

MELMAN, HAIM ZVI

Examiner

Shahid Al Alam

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2172

DETAILED ACTION

1. The application has been examined. Claims 1-11 are pending in this office action.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The reference cited in the information disclosure statement, IDS-From 1449, Paper Nos., 6 and 7, have been considered.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,032,145 issued to Christopher W. Beall et al. ("Beall").

With respect to claim 1, Beall teaches a database for use in conjunction with information search, whereas said database contains at least one item representing at least one query (column 4, lines 19, 35 – 40).

Art Unit: 2172

As to claim 2, said database contains at least two terms, . . . , (column 4, lines 19, 35 – 40 and 58 – 64).

As to claim 3, at least one information datum; at least one item representing at least one query; and means for attributing said at least one information datum to said at least one item (column 4, lines 35 – 40 and 61 – 64).

As to claim 4, a database containing at least one item representing at least one query; and means for composing a query; and means for relating said at least one stored item to a query undergoing a composition process (column 4, lines 35 – 40 and column 5, lines 10 – 20).

As to claim 5, means for displaying at least one item representing at least one query stored in said database . . . , (column 6, lines 27 – 32).

As to claim 6, a database containing at least one term (column 4, lines 19, 35 – 40); means for composing a query; and means for relating said at least one stored term to a query undergoing a composition process (column 5, lines 10 – 20).

As to claim 7, displaying at least one term stored in said database (column 4, lines 11 – 17).

As to claim 8, at least one information datum; at least one item representing at least one query; and means for relating said at least one information datum to said at least one item (column 4, lines 35 – 40 and 61 – 64).

As to claim 9, displaying at least one information datum stored in said database (column 4, lines 11 – 17).

Art Unit: 2172

As to claim 10, items representing queries submitted first in a search session acquire higher ranking than items representing successive queries (column 5, lines 59 – 64).

As to claim 11, the user information to communicate at least one other user that searched for similar information (column 3, lines 43 – 47).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,742,816 issued to Barr et al.

U.S. Patent 5,721,902 issued to Schultz.

Art Unit: 2172

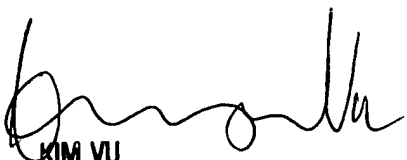
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (703) 305-2358. The examiner can normally be reached on Monday - Thursday 8:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 305-9724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Shahid Al Alam
Examiner, Art Unit 2172
August 26, 2001


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100